

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-2315

CAROLYN WELLS,

Petitioner,

v.

BAE SYSTEMS NORFOLK SHIP REPAIR; DIRECTOR, OFFICE OF
WORKERS' COMPENSATION PROGRAMS,Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(08-0280)

Submitted: July 7, 2009

Decided: August 14, 2009

Before MICHAEL and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Carolyn Wells, Petitioner Pro Se. Dana Rosen, CLARKE, DOLPH,
RAPAPORT, HULL, BRUNICK & GARRIOTT, PLC, Norfolk, Virginia;
Betty English, OFFICE OF THE SOLICITOR GENERAL, Washington,
D.C., Mark A. Reinhalter, Ann Marie Scarpino, UNITED STATES
DEPARTMENT OF LABOR, Washington, D.C., Thomas O. Shepherd, Jr.,
BENEFITS REVIEW BOARD, Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Carolyn Wells seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's decision and order on modification remand, pursuant to 33 U.S.C. §§ 901-950 (2006). Our review of the record discloses that the Board's decision is based upon substantial evidence and is in accordance with the law. See Consolidation Coal Co. v. Held, 314 F.3d 184, 186 (4th Cir. 2002); Lane v. Union Carbide Corp., 105 F.3d 166, 170 (4th Cir. 1997). Accordingly, although we grant Wells' application for leave to proceed in forma pauperis, we deny Wells' petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DENIED